Case 22-19819-SLM Doc 42 Filed 07/17/23 Entered 07/17/23 11:08:08 Desc Main

Document Page 1 of 4

Phillip Raymond McCalla Raymer Leibert Pierce, LLC 485F US Highway 1 S Suite 300 Iselin, NJ 08830 Telephone: (732) 902-5399 NJ_ECF_Notices@mccalla.com

Attorneys for Secured Creditor

Order Filed on July 17, 2023 by Clerk, U.S. Bankruptcy Court District of New Jersey

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY

In re:	Chapter 13
Julmali I Habibul,	Case No. 22-19819-SLM
	Hearing Date: June 14, 2023 at 10:00 a.m.
Debtor.	Judge: Stacey L. Meisel

CONSENT ORDER RESOLVING SECURED CREDITOR'S MOTION FOR RELIEF FROM THE AUTOMATIC STAY AND PROVIDING FOR CURE OF POST-PETITION ARREARS

The relief set forth on the following pages, number two (2) through four (4) is hereby

ORDERED

DATED: July 17, 2023

Honorable Stacey L. Meisel United States Bankruptcy Judge Page 2

Debtor:

Julmali I Habibul

Case No.:

22-19819-SLM

Caption of Order:

CONSENT ORDER RESOLVING SECURED CREDITOR'S MOTION FOR RELIEF FROM THE AUTOMATIC STAY AND PROVIDING FOR CURE OF POST-PETITION

ARREARS

THIS MATTER having been opened to the Court upon the Motion to Vacate Automatic Stay and Co-Debtor Stay ("Motion") filed by JPMorgan Chase Bank, National Association ("Movant"), and Julmali I Habibul ("Debtor") having filed opposition thereto, with respect to Movant's lien on the property known as 186 Newark Avenue, Bloomfield, NJ 07003 (the "Property") and the parties having consented to the entry of the within Order, and for good cause shown it is hereby:

ORDERED AS FOLLOWS:

- 1. Movant and Debtor agree the Debtor's delinquency is as follows: Six (6) post-petition payments due January 1, 2023 through June 1, 2023. Each payment is in the amount of \$91.03, for a total delinquency of \$546.18.
- 2. Debtor shall cure the arrears by making the stipulated lump sum payment below:

Amount Due	From Due Date	To Due Date
\$546.18	August 1, 2023	August 1, 2023

- 3. In addition to complying with the requirements of Paragraph 2, Debtor shall make all monthly post-petition payments as they become due to the address provided by the Movant in the monthly mortgage statement beginning with the payment due July 1, 2023.
- 4. Debtor authorizes Movant to mail to Debtor: (1) monthly mortgage statements; (2) account statements including an escrow analysis; and (3) notices regarding address or payment changes provided such a change is authorized by the Note and Deed of Trust. Debtor consents to direct contact by mail for purposes of receiving this information and waives any claim for violation(s) of the automatic stay regarding the same.

Page 3

Debtor:

Julmali I Habibul

Case No.:

22-19819-SLM

Caption of Order:

CONSENT ORDER RESOLVING SECURED CREDITOR'S MOTION FOR RELIEF FROM THE AUTOMATIC STAY

AND PROVIDING FOR CURE OF POST-PETITION

ARREARS

- 5. The terms of this Stipulation and the agreement reached between the parties shall remain in effect so long as the automatic stay remains in effect as to this Movant. In the event the automatic stay shall no longer remain in effect as to Movant, this Stipulation shall become null and void.
- 6. If Debtors should default and fail to make the lump sum payment or future postpetition payments or cure payments outlined above to Movant that come due
 during the pendency of this case for thirty (30) days from the due date, Movant's
 counsel may submit a certification of default and the Court may enter an order
 vacating the automatic stay permitting Movant to proceed with its action against
 Property.
- 7. That if the Debtor fails to cure the delinquency in full or fail to file an objection to the Certification of Default within the 14 (fourteen) days of the date of the Certification, Movant shall be entitled to immediate relief from the automatic stay of 11 U.S.C. §362(a) without further notice or hearing upon entry of an order for relief. For such purposes, Movant shall be free to exercise all of its rights and remedies under the Promissory Note, Deed of Trust, or as may otherwise be provided by the law. An order entered under this paragraph in accordance with Rule 4001(a)(1), is stayed until the expiration of 14 days after the entry of the order, unless the court orders otherwise. All other relief requested by Movant is hereby denied without prejudice as settled.
- 8. Upon dismissal, discharge chapter conversion, or relief from stay, the foregoing terms and conditions shall cease to be binding payments will be due pursuant to the terms of the original loan agreement and Movant may proceed to enforce its remedies under applicable non-bankruptcy law against the Real Property and/or against the Debtors.

Page 4			
Debtor: Case No.: Caption of Order:		EF FROM TH	ECURED CREDITOR'S E AUTOMATIC STAY POST-PETITION
Consent to Form and	l Entry		
McCalla Raymer Le Attorney for the Sec	ibert Pierce LLC ured Creditor		s of Steven D. Pertuz, LLC or the Debtor
By: Phillip Raymo	ond	-	n D. Pertuz
Date: 2. //	1.2023	Date:	7/10/23

CONTROL CONTRO